



National Aeronautics and  
Space Administration

**Principal Center for Regulatory Risk Analysis and Communication**

# Regulatory Tracking Summary

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*21 September 2007*

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility.

Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.rracpc.org>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Lead, Sharon Scroggins/MSFC at 256-544-7932 ([sharon.scroggins@nasa.gov](mailto:sharon.scroggins@nasa.gov)).

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## Acronyms

AAM = Alabama Administrative Monthly	NAAQS = National Ambient Air Quality Standards
AAS = Ambient Air Standards	NASA = National Aeronautics and Space Administration
ADEM = Alabama Department of Environmental Management	NEPA = National Environmental Protection Agency
AEGL = Acute Exposure Guideline Level	NESHAP = National Emission Standards for Hazardous Air Pollutants
AIM = Agriculture and Industries Maintenance	NMED = New Mexico Environment Department
ANPRM = Advance Notice of Proposed Rulemaking	NOx = Nitrogen oxide
BACT = Best available control technology	NPDES = National Pollutant Discharge Elimination System
CAA = Clean Air Act	NPRM = Notice of Proposed Rulemaking
CAAWG = Clean Air Act Working Group	OAC = Ohio Administrative Code
CAIR = Clean Air Interstate Rule	ODS = Ozone depleting substance
CARB = California Air Resources Board	OEHA = Office of Environmental Health Hazard
CCR = California Code of Regulations	OEPA = Ohio Environmental Protection Agency
CFC = Chlorofluorocarbon	OSHA = Occupational Safety and Health
CFR = <i>Code of Federal Regulations</i>	PFAC = Perfluoroalkyl carboxylates
CRNR = <i>California Regulatory Notice Register</i>	PFAS = Perfluoroalkyl sulfonates
DBCP = Dibromochloropropane	PHG = Public health goal
DICI = Density-based Invertebrate Community Index	PM10 = Particulate matter having an aerodynamic equivalent diameter of 10 microns or less
DLSME = Defense Land Systems and Miscellaneous Equipment	PM2.5 = Particulate matter having an aerodynamic equivalent diameter of 2.5 microns or less
EGEE = Ethylene glycol monoethyl ether	PSD = Prevention of significant deterioration
EGEEA = Ethylene glycol monoethyl ether acetate	RACT = Reasonably available control technology
EGU = Electrical generator	RIN = Regulatory Identification Number
EMD = Environmental Management Division	RRAC PC = Principal Center for Regulatory Risk Analysis and Communication
EO = Executive order	SCAQMD = Sacramento Metropolitan Air Quality Management District
EPA = U.S. Environmental Protection Agency	SIP = State Implementation Plan
ERC = Emission Reduction Credit	SNUR = Significant New Use Rule
FAA = Federal Aviation Authority	TAC = Texas Administrative Code
FAW = <i>Florida Administrative Weekly</i>	TAP = Toxic air pollutant
FDEP = Florida Department of Environmental Protection	TBD = To be determined
FR = <i>Federal Register</i>	TCEQ = Texas Commission on Environmental Quality
GSE = Ground support equipment	TEEA = Texas Environmental Excellence Awards
HAP = Hazardous air pollutant	TMDL = Total maximum daily loads
HCFC = hydrochlorofluorocarbon	tpy = tons per year
HQ = Headquarters	TSCA = Toxic Substances Control Act
HTML = Hypertext Markup Language	U.S. = United States
KSC = Kennedy Space Center	UIC = Underground injection control
LAC = Louisiana Administrative Code	UORB = Upper Ocklawaha River Basin
LDEQ = Louisiana Department of Environmental Quality	Va.R. = Virginia Register
LEED = Leadership in Energy & Environmental Design	VDEQ = Virginia Department of Environmental Quality
µg/L = Micrograms per liter	VOC = Volatile organic compound
MADL = Maximum allowable dose level	
MCL = Maximum contaminant limit	
MAF = Michoud Assembly Facility	
MSFC = Marshall Space Flight Center	

## 1.0 U.S. Federal Regulatory Review

### 1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts on NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-196	CAA Area Source NESHAP  Clay Ceramics, Glass and Secondary Nonferrous Metals	09/20/2007	<a href="#">72 FR 53837</a>	Proposed Rule	<p>National Emission Standards for Hazardous Air Pollutants for Area Sources: Clay Ceramics Manufacturing, Glass Manufacturing, and Secondary Nonferrous Metals Processing [40 CFR Part 63]</p> <p>Proposes national emission standards for the Clay Ceramics Manufacturing, Glass Manufacturing, and Secondary Nonferrous Metals Processing area source categories for new and existing sources. Deadline to request a public hearing is 10/01/2007. Comments are due 10/22/2007 unless a public hearing is requested, in which case comments are due 11/05/2007 [RIN 2060-AM12].</p> <p><u>This proposed rule could possibly affect vendors who are area sources of HAP.</u></p>	
Fed-2007-197	CAA Area Source NESHAP  Paint Stripping and Surface Coating	09/17/2007	<a href="#">72 FR 52958</a>	Proposed Rule	<p>National Emission Standards for Hazardous Air Pollutants: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources [40 CFR Part 63]</p> <p>Proposes emission standards for area sources of HAPs engaged in paint stripping and miscellaneous surface coating operations. Would apply to each new and existing affected area source engaged in the following operations:</p> <ul style="list-style-type: none"> <li>▪ All paint stripping involving the use of a paint stripper that contains methylene chloride</li> <li>▪ Surface coating of miscellaneous parts or products made of metal or plastic, or combinations of metal and plastic</li> <li>▪ Finishing and refinishing of motor vehicles and mobile equipment</li> </ul> <p>Proposed standard would require all methylene chloride-containing paint stripping and miscellaneous surface coating operations at area sources to comply with the equipment requirements and/or management practices that minimize specific HAP emissions. Would also establish training requirements for persons who spray apply coatings. Comments are due 10/17/2007. Public hearing will be 10/02/2007, if a hearing is requested by 09/27/2007 [RIN 2060-AN21].</p> <p><u>This regulation would not apply to NASA-owned facilities, but would apply to prime contractors and vendors who are area sources of HAP. Space vehicle coating and stripping operations are not exempt from the proposed requirements. A regulatory alert was prepared on this rulemaking and is available on the RRAC PC website.</u></p>	<p>In particular, <a href="#">NASA Programs</a> should review this proposed rule to identify potential impacts to contractors or vendors. <a href="#">Comments, if needed, are due 10/17/2007.</a></p>

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-198	CAA Flexible Air Permitting Rule	09/12/2007	<a href="#">72 FR 52205</a>	Proposed Rule	<p>Operating Permit Programs and Prevention of Significant Deterioration and Nonattainment New Source Review; Flexible Air Permitting Rule [40 CFR Parts 51, 52, 70, and 71]</p> <p>Proposes to revise the regulations governing state and federal operating permit programs to develop flexible air permitting approaches. A flexible air permit is a Title V permit that facilitates flexible operations at a source through the use of one or more permitting approaches. Also adds a permitting option for Green Groups, which allows future changes to occur within a group of emissions activities, provided that they are ducted to a common air pollution control device that meets certain requirements. Comments are due 11/13/2007. Comments on the information collection activities are due 10/12/2007. Request for public hearing is due 10/02/2007 [RIN 2060-AM45].</p>	
Fed-2007-199	CAA NAAQS for Carbon Monoxide	09/13/2007	<a href="#">72 FR 52369</a>	Notice	<p>Integrated Science Assessment for Carbon Monoxide</p> <p>Announces that EPA is preparing an Integrated Science Assessment as part of the review of the NAAQS for carbon monoxide. Solicits information regarding carbon monoxide and its effect on human health, public welfare, or the environment. Comments are due 12/14/2007.</p>	
Fed-2007-200	CAA ODS-- Laboratory and Analytical Use Exemptions	09/13/2007	<a href="#">72 FR 52332</a>	Proposed Rule	<p>Protection of Stratospheric Ozone: Extension of Global Laboratory and Analytical Use Exemption for Essential Class I Ozone Depleting Substances [40 CFR Part 82]</p> <p>Proposes to extend the global laboratory and analytical use exemption for the production and import of Class I ODSs beyond 12/31/2007. Also proposes to add the applicability of the laboratory and analytical use exemption to the production and import of methyl bromide for specific laboratory uses. Comments are due 11/13/2007 [RIN 2060-AO28].</p>	
Fed-2007-201	CAA PSD-PM2.5	09/21/2007	<a href="#">72 FR 54111</a>	Proposed Rule	<p>Prevention of Significant Deterioration (PSD) for Particulate Matter less than 2.5 Micrometers (PM2.5)-- Increments, Significant Impact Levels, and Significant Monitoring Concentration [40 CFR Parts 51 and 52]</p> <p>Proposes to facilitate the implementation of a PM2.5 PSD program in areas attaining the PM2.5 NAAQS by developing PM2.5 increments, significant impact levels, and significant monitoring concentrations. Also proposes to revoke the annual PM10 increments. These proposed values would be used as screening tools by a major source subject to PSD to determine the level of analysis and data gathering required for a PSD permit application for emissions of PM2.5. Comments are due 11/20/2007. Comments on the information collection provisions are due 10/22/2007 [RIN 2060-AO24].</p>	
Fed-2007-202	Climate Change	09/11/2007	<a href="#">72 FR 51805</a>	Notice	<p>National Oceanic and Atmospheric Administration</p> <p>U.S. Climate Change Science Program Synthesis and Assessment Product Draft Report 4.3: "The Effects of Climate Change on Agriculture, Land Resources, Water Resources, and Biodiversity"</p> <p>Announces public comment period for the <a href="#">draft report</a> titled, U.S. Climate Change Science Program Synthesis and Assessment Product 4.3: "The Effects of Climate Change on Agriculture, Land Resources, Water Resources, and Biodiversity." Comments are due 10/26/2007 [RIN 0648-XC39].</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-203	Commercial Space Transportation	09/18/2007	<a href="#">72 FR 53278</a>	Notice	Federal Aviation Administration Commercial Space Transportation Advisory Committee–Open Meeting Notice of a meeting of the Commercial Space Transportation Advisory Committee on 10/11/2007 in Washington, D.C. The <a href="#">proposed agenda</a> for the meeting will feature briefings on Operationally Responsive Space and China's space activities, a report on activities in the FAA Office of Commercial Space Transportation, and Working Group reports.	
Fed-2007-204	Comprehensive Procurement Guideline Landscaping Products	09/14/2007	<a href="#">72 FR 52475</a>	Final Rule	Comprehensive Procurement Guideline V for Procurement of Products Containing Recovered Materials [40 CFR Part 247] Amends the Comprehensive Procurement Guideline for recovered content products. Revises the list of landscaping products as follows: <ul style="list-style-type: none"> <li>Consolidates all compost designations under one item designation: "compost made from recovered organic materials" and amends the definition of compost. The effect of these changes will be to include compost from biosolids and manure, and not limit the designation to specific types of organic materials.</li> <li>Defines the term "fertilizer made from recovered materials" and adds it as a designated landscaping item.</li> </ul> Effective 09/15/2008 [RIN 2050-AE23]. <a href="#">See related final Recovered Materials Advisory Notice in this table that contains recommendations for purchasing these designated items.</a>	
Fed-2007-205	Comprehensive Procurement Guideline Landscaping Products	09/14/2007	<a href="#">72 FR 52561</a>	Notice	Recovered Materials Advisory Notice V Announces availability of the final Recovered Materials Advisory Notice V and supporting materials. Document contains recommendations for purchasing one new item (fertilizers made from recovered organic materials) and one revised item (compost made from recovered organic materials) designated in the final Comprehensive Procurement Guideline V. Applies to items whose designations are effective 09/15/2008. <a href="#">See related final rule change in this table concerning Comprehensive Procurement Guideline V.</a>	
Fed-2007-206	Hazardous Materials Acute Exposure Guideline Levels	09/19/2007	<a href="#">72 FR 53577</a>	Notice	National Advisory Committee for Acute Exposure Guideline Levels for Hazardous Substances; Proposed AEGL Values; Notice of Availability Provides a list of 37 hazardous substances for Proposed AEGL values. Solicits comments on both the Proposed AEGL values and the Technical Support Documents in the public docket. Comments are due 10/19/2007.	<a href="#">NASA Programs and Centers</a> should review the hazardous substances listed and be aware of the proposed AEGL values.
Fed-2007-207	Hazardous Materials Transport	09/11/2007	<a href="#">72 FR 51902</a>	Notice	Pipeline and Hazardous Materials Safety Administration International Standards on the Transport of Dangerous Goods; Public Meeting Notice of public meeting to discuss draft U.S. positions on the proposals that will be considered during the upcoming the International Civil Aviation Organization's Dangerous Goods Panel meeting. Agenda items involve the transport of dangerous goods by air. Public meeting to be held 10/24/2007 in Washington, D.C.	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
Fed-2007-208	NEPA	09/19/2007	<a href="#">72 FR 53651</a>	Final Rule	<p>Procedures for Implementing the National Environmental Policy Act and Assessing the Environmental Effects Abroad of EPA Actions [40 CFR Part 6]</p> <p>Amends EPA's NEPA implementing procedures by:</p> <ul style="list-style-type: none"> <li>Consolidating and standardizing the procedural provisions and requirements of the environmental review process under NEPA.</li> <li>Clarifying the general procedures associated with categorical exclusions, consolidating the categories of actions subject to categorical exclusion, and amending existing and adding new categorical exclusions.</li> <li>Consolidating and amending existing and adding new extraordinary circumstances.</li> <li>Consolidating and amending the listing of actions that generally require an Environmental Impact Statement.</li> <li>Clarifying the procedural requirements for consideration of applicable environmental review laws and executive orders.</li> <li>Incorporating other revisions consistent with the Council on Environmental Quality's regulations.</li> </ul> <p>Also includes minor amendments to the procedures for implementing EO 12114, "Environmental Effects Abroad of Major Federal Actions." Effective 10/19/2007 [RIN 2020-AA42].</p>	
Fed-2007-209	OSHA Emergency Response and Preparedness	09/11/2007	<a href="#">72 FR 51735</a>	Notice	<p>Occupational Safety and Health Administration</p> <p>Emergency Response and Preparedness [29 CFR Part 1910]</p> <p>Requests information and comments to evaluate what action, if any, OSHA should take to further address emergency response and preparedness. OSHA will be considering emergency response and preparedness for the following:</p> <ul style="list-style-type: none"> <li>Common emergencies (e.g., fires or emergency medical and other rescue situations)</li> <li>Large-scale emergencies (e.g., natural and intentional disasters)</li> </ul> <p>Areas of interest primarily are as follows:</p> <ul style="list-style-type: none"> <li>Personal protective equipment</li> <li>Training and qualifications</li> <li>Medical evaluation and health monitoring</li> <li>Safety management</li> </ul> <p>OSHA also will be evaluating the types of personnel who would constitute either emergency responders or skilled support employees at such events, and the range of activities that might constitute emergency response and preparedness. Comments are due 12/10/2007 [RIN 1218-AC17].</p>	
Fed-2007-210	TSCA SNUR	09/19/2007	<a href="#">72 FR 53470</a>	Direct Final Rule	<p>Significant New Use Rules on Certain Chemical Substances [40 CFR Part 721]</p> <p>Promulgates significant new use rules for 38 chemical substances. Effective 11/19/2007 unless adverse or critical comments are received prior to 10/19/2007 [RIN 2070-AB27].</p>	<p><a href="#">NASA Programs and Centers</a> should review the list of chemical substances for applicability.</p>

## 1.2 Status of Continuing Actions in Progress

This section provides the status of selected actions the RRAC PC is currently tracking. Questions about any of these actions or suggestions for additions to this list should be directed to [Sharon Scroggins](#)/MSFC.

Significant Dates		Subject Action [RIN]	Type of Action	Comments
NPRM	01/2008	NESHAP: Defense Land Systems and Miscellaneous Equipment [2060-AM84]	Pre-rule	Possible impact to Ground Operations.
Final Action	12/2008			Will cover surface cleaning, preparation, coating, and stripping operations on non-flight hardware at some NASA facilities. Could affect launch pads and GSE.
ANPRM	03/29/2007	NESHAP: Risk and Technology Review, Phase II [2060-AN85]	Pre-rule	Possible space vehicle operational or materials impacts.
	<a href="#">72 FR 14734</a>			Evaluation of residual risk remaining after the implementation of numerous NESHAPs, including those regulating the Aerospace and Chrome Electroplating source categories. This rulemaking represents a relatively low risk of EPA imposing limits on HAP and VOC levels contained in coatings, cleaning solvents, and other materials used on flight hardware. Potential further restrictions on the chrome electroplating or other source categories also could affect vendor facilities.
NPRM	08/2007			
Final	06/2009			
<b>Proposed Rule</b>	<b>09/17/2007</b>	Area Sources: Surface Coating and Paint Stripping [2060-AN21]	<b>Proposed Rule</b>	Possible space vehicle operational or materials impacts.
	<a href="#">72 FR 52957</a>			Covers three area source categories: Autobody Refinishing; Plastic Parts and Products Surface Coating; and Paint Stripping. The proposed standard will regulate certain surface coating, cleaning, and paint stripping operations at area sources of HAPs, potentially including some space vehicle operations. For NASA, KSC and MSFC are major sources of HAPs. Other NASA Centers that have HAP emissions would be considered area sources. A <a href="#">regulatory alert</a> was prepared on this rulemaking and is available on the <a href="#">RRAC PC website</a> .
Final Action	12/2007			
NPRM	01/03/2007	NESHAP General Provisions—Once In, Always In [2060-AM75]	Proposed Rule	Possible impacts to facilities, including space flight support facilities.
	<a href="#">72 FR 69</a>			KSC and MSFC currently are major sources of HAPs; MAF recently attained “synthetic minor” status. As proposed, this rule potentially could allow MAF to be considered an area source, no longer subject to any NESHAP requirements for major sources. However, this rule also would require any facility switching from major source to area source status to comply with any applicable area source regulations.
Final Action	12/2007			
NPRM	03/07/2006	SNUR: Perfluorinated Polymers [2070-AD58]	Proposed Rule	Possible space vehicle materials impacts.
	<a href="#">71 FR 11483</a>			Rule would require manufacturers to notify EPA of any new materials or significant uses of perfluorinated polymers including those containing PFASs; PFACs; fluorotelomers; or perfluoroalkyl moieties that are covalently bound to a carbon or a sulfur atom where the carbon or sulfur atom is an integral part of the polymer molecule.
Final Action	01/2008			

## 1.3 Status of Emerging Actions and Other Issues

This section will provide updates as they become available on the status of other developing environmental- or safety-related initiatives being monitored by NASA HQ/EMD. A consolidated list of items being tracked is available on the [RRAC PC website](#), under Regulatory Alerts. Please direct any comments or questions to Dr. Linda Wennerberg/HQ ([linda.s.wennerberg@nasa.gov](mailto:linda.s.wennerberg@nasa.gov)) and Sharon Scroggins/MSFC ([sharon.scroggins@nasa.gov](mailto:sharon.scroggins@nasa.gov)).



## 1.4 Significant News and Other Developments

### 1.4.1 EPA Proposes Area Source Rule for Depainting and Miscellaneous Surface Coating Operations

EPA published the subject proposal on 17 September 2007 ([72 FR 52958](#)). The NESHAP: Paint Stripping and Miscellaneous Surface Coating Operations at Area Sources ("stripping and coating area source NESHAP," or "area source NESHAP") would regulate paint stripping and miscellaneous surface coating operations at area sources of HAPs. Area sources are those sources of HAP that emit less than 10 tpy of any single HAP and less than 25 tpy of any combination of HAPs.

This proposed area source NESHAP will not apply to paint stripping or surface coating operations that occur onsite at area source facilities owned by NASA. Instead, such operations will be regulated by the DLSME NESHAP, currently under development. However, this rule will apply to contractors, vendors, and other area source facilities that conduct paint stripping and miscellaneous surface coating operations. NASA Programs are advised to review this proposal, and should note that it *does not* include an exemption for space vehicle-related operations. Thus, any flight hardware-related paint stripping or surface coating operations that are conducted at covered offsite area source facilities may be required to comply with this regulation.

Comments on the proposal must be received by EPA by 17 October 2007. If anyone contacts EPA requesting a public hearing concerning the proposed rule by 27 September 2007, the hearing would be held on 2 October 2007. Any issues or adverse impacts should be identified immediately to Sharon Scroggins/MSFC to facilitate preparation and submittal of comments to EPA by the 17 October 2007 deadline.

### 1.4.2 EPA Amends National Environmental Policy Act

EPA issued a final rule on 19 September 2007 ([72 FR 53651](#)) modifying procedures for implementing the NEPA. The final rule clarifies and consolidates the technical requirements of EPA's environmental review process and includes changes to EPA's process for implementing EO 12114 entitled, "Environmental Effects Abroad of Major Federal Actions."

### 1.4.3 Montreal Protocol Updates

The 19th Meeting of Parties to the *Montreal Protocol on Substances that Deplete the Ozone Layer* convened from 17 through 21 September 2007 in Montreal, Canada. The following subsections highlight decisions made during the meeting.

#### 1.4.3.1 Decision to Accelerate HCFC Phase-out Deadline

The Parties issued a decision to freeze production of HCFCs in 2013 and move up the final phase-out date of HCFCs by 10 years. Under the agreement, production of HCFCs is to be frozen in 2013 at the average production levels in 2009 and 2010. HCFCs were scheduled for phase out in 2030 by developed countries and in 2040 by developing countries. Developed countries have agreed to reduce the production and consumption of HCFCs by 75 percent by 2010 and by 90 percent by 2015, with final phase out in 2020.

### 1.4.3.2 *Decision to Extend Laboratory Exemption*

EPA issued a proposed rule on 13 September 2007 to extend the global exemption for laboratory uses of Class I ODSs through 31 December 2015 ([72 FR 52333](#)). The proposal would allow the production and import of CFCs, methyl bromide, and other substances for laboratory and analytical use beyond the former 31 December 2007 deadline. The exemption allows laboratories and chemical testing facilities to buy and use small amounts of phased out Class I ODSs for research and testing. Comments on the proposed rule must be submitted to EPA by 13 November 2007.

When EPA finalizes this proposal, the final rule must comply with the decision made by the Parties of the Protocol during the Montreal meeting. The parties decided to extend the deadline only until 31 December 2011. As part of the decision, the parties requested that the Technology and Economic Assessment Panel and its Chemicals Technical Options Committee provide, by the next Meeting of the Parties, a list of laboratory and analytical uses of ODS, indicating those for which alternatives exist and which are therefore no longer necessary and describing those alternatives.

## 1.5 Clean Air Act Working Group Updates

### 1.5.1 Clean Air Act Working Group Telecons for 2007

The CAAWG will hold telecons on the following Wednesdays in 2007 at 2 p.m. ET, 1 p.m. CT, 12 p.m. MT, and 11 a.m. PT:

- 17 October 2007
- 14 November 2007
- 19 December 2007

## 2.0 State Regulatory Reviews

The following sections provide details of regulatory actions reviewed for states in which NASA facilities are located.

### 2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Alabama. Citations of the [AAM](#) are linked to the appropriate volume of the Monthly, which is published in Adobe Acrobat (.pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL-2007-17	General Administration	09/16/2007	AAM Vol. XXVI	Proposed Amendments Hearing Notice	<p>335–Alabama Department of Environmental Management 1–General Administration</p> <p>Proposed amendments to ADEM's Administrative Code include the following: 335-1-6-.04 Permit Application Fees</p> <ul style="list-style-type: none"> <li>▪ <a href="#">335-1-1-.07 Departmental Forms, Instructions, and Procedures</a></li> <li>▪ <a href="#">335-1-6-.04 Permit Application Fees</a></li> <li>▪ <a href="#">335-1-6-.07 Payment of Fees</a></li> </ul> <p>In Chapter 335-1-6, the proposed fee revisions are based on cost of living increases incurred by ADEM during and at the beginning of 10/01/2007. The fee adjustments should reflect a 10.5-percent increase across the board, with exceptions. The Well Driller's License fee is set by law. Other exceptions are reflected in Schedules A, Air Quality Permits; Schedule C, Hazardous Waste Permits; and Schedule D, Water Permits. Proposes to increase the fees for NESHAP review and air pollution modeling, and to delete the per-pollutant fee for the soil remediation plan review, instead proposing a new fee for this activity. In Schedule C, proposes to increase UIC Class V permit fees equivalent to the Minor Municipal &amp; Private &amp; Water Treatment activity, because both require equivalent permitting efforts. Revisions to 335-1-1-.07 include corrections to re-sort the table of all forms in alphabetical order, the addition of 5 new forms, the modification of 19 existing forms, and the deletion of 3 forms. A list of specific changes can be found in the <a href="#">Summary of Reason</a> document.</p>	

## 2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA-2007-101	Air State Implementation Plan	09/17/2007	<a href="#">72 FR 52791</a>	Final Rule	U.S. Environmental Protection Agency Revisions to the California State Implementation Plan, Mojave Desert Air Quality Management District Approves revisions to the SCAQMD portion of the California SIP. These revisions concern VOC emissions from solvent usage. Effective 11/16/2007.	
CA-2007-102	Drinking Water 1,2,3-Trichloropropane	09/14/2007	<a href="#">CRNR 2007, 37z, p. 1544</a>	Notice	<a href="#">Office of Environmental Health Hazard Assessment</a> ; California Environmental Protection Agency <a href="#">Draft Technical Support Document on Proposed Public Health Goal for 1,2,3-Trichloropropane in Drinking Water</a> <a href="#">Announces availability of and public comment period</a> for the subject document. 1,2,3-Trichloropropane has been used as a solvent and degreasing agent, in the synthesis of other compounds such as epichlorohydrin and certain polymers, and as a byproduct in pesticides and the dichloropropene soil fumigants. Comments are due 10/20/2007.	
CA-2007-103	Hazardous Materials	09/20/2007	<a href="#">Public Notice Package</a>	Notice	<a href="#">Office of Environmental Health Hazard Assessment</a> , California Environmental Protection Agency Initiation of Risk Assessments for Chemicals in Drinking Water <a href="#">Announces</a> the initiation of risk assessments for and requests risk-related information on the following substances: antimony, bentazon, benzo(a)pyrene, cyanide, dalapon, DBCP, 1,2-dichlorobenzene, 1,4-dichlorobenzene, 1,1-dichloroethylene, 1,2-dichloropropane, dinoseb, endosulfan, endrin, hexachlorocyclopentadiene, methoxychlor, oxamyl, pentachlorophenol, picloram, 1,2,4-trichlorobenzene, trichlorofluoromethane (Freon 11), and trichlorotrifluoroethane (Freon 113). Comments and other input are due 11/09/2007.	
CA-2007-104	Hazardous Materials EGEE, EGEEA, and Potassium Dimethyl-dithiocarbamate	09/14/2007	<a href="#">CRNR 2007, 37z, p. 1546</a>	Approved Amendment	<a href="#">Office of Environmental Health Hazard Assessment</a> , California Environmental Protection Agency Specific Regulatory Levels: Chemicals Causing Reproductive Toxicity [22 CCR 12805] Sets MADLs for EGEE, EGEEA, and potassium dimethyl-dithiocarbamate. Effective 09/30/2007.	
CA-2007-105	Water Fees	09/14/2007	<a href="#">CRNR 2007, 37z, p. 1535</a>	Proposed Rule	<a href="#">California Coastal Commission</a> Filing Fee Regulations [14 CCR 13055, 13169, 13255.0, 13255.1, 13255.2, and 13576] Proposes <a href="#">amendments</a> including clarifications and fees for filing applications with the Commission. Comments are due 10/29/2007.	
CA-2007-106	Water Perchlorate	09/19/2007	<a href="#">California Department of Public Health Website</a>	Notice	<a href="#">California Department of Public Health</a> Perchlorate in Drinking Water: Recent Findings Establishes perchlorate as a regulated drinking water contaminant in California, with an MCL of 6 µg/L. <a href="#">Technical support of this PHG is available on OEHHA's website</a> . Effective 10/18/2007.	<a href="#">NASA facilities</a> in California should be aware of this change.

## 2.2.1 California Air Resources Board Proposes Tripling Greenhouse Gas Emissions Measures

On 17 September 2007, the CARB held a workshop to discuss [changes to the list of early action measures](#) to reduce the state's greenhouse gas emissions. Three such measures, approved by the CARB in June for implementation by 2010, are a low-carbon fuel standard, controls on do-it-yourself air conditioning repairs, and statewide standards for capturing landfill gases. CARB will soon vote on six proposed additional measures to be implemented by 2010, including the following:

- Banning use of sulfur hexafluoride, which is used for insulation and current interruption in electric transmission and distribution equipment, from nonessential applications outside the electricity sector.
- Establishing standards to reduce emissions from aerosols, tire inflators, and electronics cleaning and dust removal products.
- Requiring existing trucks and trailers to be retrofitted with devices that reduce aerodynamic drag.
- Requiring tune-up and oil change technicians to ensure proper tire inflation as a part of overall service.
- Allowing docked ships to shut off their auxiliary engines by plugging into shoreside electrical outlets or other technologies.
- Establishing standards to reduce emissions of perfluorocarbons in the semiconductor industry.

The board also will vote on five additional early actions that would take effect in 2012, which include the following:

- Enhanced monitoring, enforcement, and recovery of refrigerants, including HCFCs.
- Improved energy efficiency practices and technologies in cement facilities.
- Increased use of cement blending with materials such as fly ash, limestone, and slag in the production of Portland cement.
- Increased compliance with existing anti-idling regulations for trucks and buses.
- Research to understand how to reduce nitrous oxide emissions from fertilizer applications.

Total greenhouse gas emission reductions from all 14 measures are estimated to be 16 million metric tons. Additional information regarding the measures is available at the [CARB's Climate Change website](#).

## 2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL-2007-94	Mitigation Assessment Methods	09/12/2007	<a href="#">FAW Notice #4562509</a> , <a href="#">#4562606</a> , <a href="#">#4562703</a> , <a href="#">4562800</a> , & <a href="#">4562897</a>	Final Rule	Chapter 62–FDEP 345–Uniform Mitigation Assessment Method 300–Assessment Method Overview and Guidance; Chapter 62.345-400–Qualitative Characterization–Part I; Chapter 62.345-500–Assessment and Scoring–Part II; Chapter 62.345-600–Time Lag, Risk, and Mitigation Determination; Chapter 62.345–Forms  Provides clarification and guidance on establishing the reference community in Part I, when to score an assessment area as zero in Part II, and determining time lag. In addition, the mathematical formula was modified to better address multiple impact and mitigation sites and sites with known mitigation acreage.	<b>KSC</b> should be aware of final changes.
FL-2007-95	Water St. John's Water Management District	09/21/2007	<a href="#">FAW Notice #4627305</a>	Notice Meeting	Chapter 40C–St. John's River Water Management District  Announces a public meeting to consider regulatory and non-regulatory matters. Staff may recommend approval of external amendments that affect the adopted budget. Meeting is scheduled for 10/09/2007 at 8:15 a.m. at the District Headquarters, Palatka, Florida.	
FL-2007-96	Water St. John's Water Management District	09/21/2007	<a href="#">FAW Notice #4629245</a>	Notice Meeting	Chapter 40C–St. John's River Water Management District  The Projects and Land Committee will meet to discuss agenda items, followed by committee recommendations to be approved by the full Governing Board. A tour of Apopka and UORB projects and lunch will follow the Business meeting. Meetings are scheduled for 10/04/2007 at 6:00 p.m. at Laurel Manor Recreation Center, The Villages, Florida; and for 10/05/2007 at 8:00 a.m. at Hampton Inn & Suites, Lady Lake/The Villages, Florida.	

## 2.4 Hawaii State Regulatory Review

No regulatory items of interest were identified during this reporting period for Hawaii.

### 2.4.1 Other Information: Workshop on Total Maximum Daily Loads–Myths and Realities

A workshop on water quality, dealing specifically with TMDLs, will be held on 23 and 24 October 2007 at the Pagoda Hotel. The event is sponsored by the Hawaii Local Technical Assistance Program of the Department of Transportation, The Hawaii Department of Health, the Water Resources Research Center, the College of Tropical Agriculture and Human Resources, and the City and County of Honolulu. This introductory workshop will cover basic TMDL program information, technical approaches, hands-on TMDL problem solving, emerging legal and technical concerns, and opportunities for cooperation and collaboration. For more information, please visit the Hawaii Local Technical Assistance Program's internet website, [http://hltap.eng.hawaii.edu/Workshops/Workshops2007/TotalMaximumDailyLoads\\_2007.pdf](http://hltap.eng.hawaii.edu/Workshops/Workshops2007/TotalMaximumDailyLoads_2007.pdf)

## 2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impact to NASA Centers and Programs in Louisiana.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA-2007-30	Air Toxic Air Pollutants	09/20/2007	<a href="#">33 Louisiana Register p. 1897 (AQ281)</a>	Proposed Rule	<p>Louisiana Department of Environmental Quality Toxic Air Pollutant Ambient Air Standards (LAC 33:III.5112)</p> <p>Proposed revisions to this rule include the following:</p> <ul style="list-style-type: none"> <li>Retaining methyl ethyl ketone as a state TAP on the supplemental list of TAPs.</li> <li>Establishing more stringent AASs for 15 TAPs.</li> <li>Establishing less stringent AASs for 6 TAPs.</li> <li>Reclassifying the air toxics class for 7 TAPs.</li> <li>Listing a short-term (8-hour) average in addition to a long-term (annual) average for many Class I toxic air pollutants.</li> </ul> <p>The <a href="#">risk/cost/benefit statement</a> for this rule is published in the September issue of the <i>Louisiana Register</i>. Comments are due 10/25/2007.</p> <p>The State of Louisiana considers several substances as TAPs that are not also on the federal HAP list. This "supplemental" list is posted on the LDEQ website.</p>	MAF and NASA programs should review for applicability; note that the state is retaining methyl ethyl ketone on the TAP list.
LA-2007-31	Secretary Permits	09/20/2007	<a href="#">33 Louisiana Register p. 1952 (AQ 277)</a>	Notice	<p>Louisiana Department of Environmental Quality Regulatory Permit for Emergency Engines (LAC 33:III.309)</p> <p>This permit would authorize the installation and use of stationary emergency engines, including electrical power generators, firewater pumps, and air compressors, and the associated fuel storage tanks. Comments are due 11/01/2007.</p>	

## 2.6 Maryland State Regulatory Review

No regulatory items of interest were identified during this reporting period for Maryland.

## 2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for Mississippi.

## 2.8 New Mexico State Regulatory Review

No regulatory items of interest were identified during this reporting period for New Mexico.

### 2.8.1 NPDES Inspections

The NMED recently was issued credentials to perform NPDES program inspections on behalf of EPA. The formal credentials will help increase the reach and scope of enforcement within the state. NMED staff will conduct compliance evaluation, compliance sampling, confined animal feeding operation, and storm water inspections. The department plans to credential seven state inspectors, who are expected to conduct more than 140 inspections.

## 2.9 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Ohio.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH-2007-59	Air Air Quality	09/11/2007	OAC <a href="#">3745-113</a>	Final Rule	<p>Division of Air Pollution Control, Ohio Environmental Protection Agency</p> <p><a href="#">Final rules for "Architectural and Industrial Maintenance (AIM) Coatings"</a></p> <p>OEPA has adopted new rules: <a href="#">OAC Chapter 3745-113</a>, AIM Coatings." These rules are intended to assist attainment of 8-hour NAAQS for ozone in the eight-county Cleveland and Akron metropolitan area through the reduction of emissions of VOCs from AIM coatings and to help maintain the standard statewide. Effective 09/21/2007.</p>	
OH-2007-60	Air Clean Air Interstate Rules	09/17/2007	OAC <a href="#">3745-109</a>	Final Rule	<p>Division of Air Pollution Control, Ohio Environmental Protection Agency</p> <p><a href="#">Adoption of new OAC rules 3745-109-01 through 3745-109-21, "Ohio's Clean Air Interstate Rules (CAIR)"</a></p> <p>OEPA has adopted new OAC rules <a href="#">3745-109-01 through 3745-109-21</a>, "CAIR," which are intended to assist Ohio in complying with the requirements of EPA's CAIR, finalized 05/12/2005, at <a href="#">70 FR 25162</a>. The rules establish a cap and trade program for annual and seasonal emissions of NOx and a discounting mechanism for emissions of sulfur dioxide from EGUs and large industrial boilers ("non-EGUs"). Effective 09/21/2007.</p>	
OH-2007-61	Air Emissions Trading	09/13/2007	OAC <a href="#">3745-111</a>	Draft Rule	<p>Division of Air Pollution Control, Ohio Environmental Protection Agency</p> <p><a href="#">Draft rule language for Emission Reduction Credit Trade and Banking Program</a></p> <p>Initial draft language is available for new OAC Chapter 3745-111, "ERC Trade and Banking Program," which establishes an official method for Ohio companies to register un-verified and verified ERCs into an OEPA ERC banking system for future internal use or to trade for the purpose of offsets. Currently, OEPA conducts ERC verification on a case-by-case basis only at the time a "major" facility needs to use ERCs for emission offsets. OEPA anticipates that these new draft rules will reduce the risk of finding emission offsets at the time of need by creating a clear registration and banking system, in addition to publishing available ERCs on the OEPA website. Comments are due 10/12/2007.</p>	



Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH-2007-62	Air Miscellaneous Metal Coating	09/11/2007	OAC <a href="#">3745-21-09(U)(2)(f)</a>	Draft Rule	<p>Division of Air Pollution Control, Ohio Environmental Protection Agency</p> <p><a href="#">Draft rule language for OAC 3745-21-09(U)(2)(f) to address EPA concerns regarding alternative emissions limitations for RACT requirements</a></p> <p>Draft amendments for OAC rule 3745-21-09(U)(2)(f) are related to alternative emissions limitation(s) to the miscellaneous metal coating limits under OAC Rule 3745-21-09(U)(1), which apply to a broad range of operations, including exceptional cases where these limits may not be reasonably achievable. Changes are intended to address concerns raised by EPA regarding the establishment and stakeholder review process of these types of alternative emissions limitations; also removes reference to these alternative limitations being established as BACT. Comments are due 10/11/2007.</p>	<a href="#">NASA facilities</a> should consider reviewing for applicability.
OH-2007-63	Air NOx Budget Trading Program	09/13/2007	<a href="#">70 FR 52320</a>	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Approval and Promulgation of Air Quality Implementation Plans; Ohio; Oxides of Nitrogen Budget Trading Program</p> <p>Proposes to approve OEPA's request to permanently retire 240 NOx allowances from the state's 2005 new source set aside, which would otherwise have been distributed to existing sources that are required participants in the State of Ohio's NOx budget. Comments are due 10/15/2007.</p>	
OH-2007-64	Air Particulate Matter	09/12/2007	OAC <a href="#">3745-17</a>	Proposed Rule	<p>Division of Air Pollution Control, Ohio Environmental Protection Agency</p> <p><a href="#">Proposed rules for "Particulate Matter Standards"</a></p> <p>OEPA proposes <a href="#">amendments</a> to Rules OAC 3745-17, "Particulate Matter Standards," relating to the control of fugitive dust and particulate emissions from various types of stationary sources. A public hearing will be held 10/19/2007. Comments are due 10/19/2007.</p>	<a href="#">NASA facilities</a> should consider reviewing for applicability
OH-2007-65	Wetlands Invertebrate Index	09/17/2007		Report	<p>Division of Surface Water, Ohio Environmental Protection Agency</p> <p><a href="#">Density-based Invertebrate Community Index (DICI) of Ohio Wetlands</a></p> <p>A DICI was developed for Ohio Wetlands and is now available on the <a href="#">Wetland Ecology Section Reports</a> page.</p>	

## 2.10 Texas State Regulatory Reviews

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register* published in HTML file format. Current and historical versions of the *Texas Register* in HTML and Adobe Acrobat (.pdf) file format can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX-2007-49	Administrative Requirements	09/21/2007	<a href="#">32 TexReg 6523</a>	Adopted Rules	Occupational Licenses and Registrations [30 TAC §30] Makes changes to the occupational licensing and registration programs administered by the TCEQ to ensure consistency between the rules and their applicable statutes. Provides consistency and further establishes uniform procedures for issuing and renewing licenses, setting terms and fees, approving training and training providers, and enforcing licensing requirements. Removes any requirements or references to dates that are no longer applicable. Effective 09/27/2007.	

### 2.10.1 Johnson Space Center Featured in *Natural Outlook*

JSC is featured in the [Fall 2007 edition](#) of *Natural Outlook*. *Natural Outlook* is the TCEQ's quarterly newsletter, which covers a broad range of environmental issues affecting Texans and their communities. The latest edition includes an [article](#) about Green Buildings in Texas and a [related story](#) highlighting leading examples of Green Buildings. One of the examples listed is the astronaut quarantine facility at JSC. The facility received a high-level LEED certification from the U.S. Green Building Council before its opening in 2005.

### 2.10.2 Texas Environmental Excellence Awards

The TCEQ is accepting [applications](#) until 19 October 2007 for the 2008 [TEEA](#). The annual awards are issued to individuals, organizations, and businesses that demonstrate initiative and embody the spirit of environmental stewardship. The 2008 winners will receive their awards during the TCEQ's Environmental Trade Fair and Conference, scheduled in Austin for 29 April to 1 May 2008.

The TEEA program recognizes projects in the following categories:

- Agriculture
- Civic/Nonprofit
- Education
- Government
- Individual
- Innovative Technology
- Large Business–nontechnical
- Large Business–technical
- Small Business
- Youth

### 2.10.3 TCEQ Publishes Revision to *Outdoor Burning in Texas* Guide

The TCEQ recently released a revision to [Outdoor Burning in Texas](#). The guide helps summarize and explain Texas' Outdoor Burning Rule, Title 30, TAC Sections 111.201-22. The Outdoor Burning Rule prohibits outdoor burning anywhere in Texas; however, the rule provides exceptions for specific situations in which burning is necessary or does not pose a threat to the environment. The rule also prescribes conditions that must be met to protect the environment and avoid other adverse impacts when burning is allowed. If burning seems necessary, but the situation does not fit an exception stated in the rule, then it is possible to request from the TCEQ a special authorization to conduct burning.

### 2.11 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia. Citations of the [Virginia Register](#) (Va.R.) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking No.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA-2007-34	Air Mercury Emissions	09/17/2007	<a href="#">24:1 VA.R. 46</a>	Notice Symposium	State Air Pollution Control Board The VDEQ and State Air Pollution Control Board will conduct a mercury symposium to raise awareness and understanding of Virginia mercury emissions from 11/28/2007 through 11/29/2007.	
VA-2007-35	Water Irrigation	09/17/2007	<a href="#">24:1 VA.R. 20</a>	Proposed Rule Withdrawal	State Water Control Board 9 VAC 25-840, General Virginia Pollution Abatement for Irrigation Reuse of Level A Reclaimed Water Withdrawal of the proposed regulation; the proposed Water Reclamation and Reuse Regulation does not require general permit coverage for end users.	
VA-2007-36	Water Irrigation	09/17/2007	<a href="#">24:1 VA.R. 21</a>	Proposed Rule Withdrawal	State Water Control Board 9 VAC 25-850, General Virginia Pollution Abatement for Irrigation Reuse of Level B Reclaimed Water Withdrawal of the proposed regulation; the proposed Water Reclamation and Reuse Regulation does not require general permit coverage for end users.	
VA-2007-37	Water Surface Water	09/17/2007	<a href="#">24:1 VA.R. 25</a>	Proposed Rule Withdrawal	State Water Control Board 9 VAC 25-800. Virginia Water Protection General Permit for Minor Surface Water Withdrawals Withdrawal of the proposed regulation; the necessary regulatory requirements were incorporated into an amendment of the Virginia Water Protection Permit Regulation (9VAC25-210).	
VA-2007-38	Water Wetlands	09/17/2007	<a href="#">24:1 VA.R. 20</a>	Proposed Rule Withdrawal	State Water Control Board 9 VAC 25-170, General Virginia Water Protection Permit for Wetland Restoration and Creation Activities. Withdrawal of the proposed regulation; activities are covered by the U.S. Army Corps of Engineers Nationwide Permit, conditionally certified by the VDEQ on 04/10/2007.	